

U.S.S.N. 10/043,397

DN-5532

REMARKS

After entry of the subject amendment, claims 1, 5-23, 25, 26, and 30-61 remain in the application with claims 1 and 26 in independent form. More specifically, claims 2-4, 24, and 27-29 have been canceled and claims 1, 5-14, 25, and 47 have been amended. There is full support in the specification for the amendments to the claims. Accordingly, no new matter has been added.

Claim 47 stands rejected under 35 U.S.C. § 112, second paragraph. The Applicant has amended claim 47 as suggested by the Examiner such that it is believed that this claim is now allowable.

Rejoinder:

On Monday, January 31, 2005, the Applicant conducted a telephonic interview with Examiner Dawn Garrett. The Applicant thanks the Examiner for her time. In accordance with MPEP § 713 (especially to satisfy §§ 713.01 and 713.04), the Applicant offers the following complete written statement.

The status of method claims 1-25 were generally discussed in this interview. Although no agreement was formally reached with the Examiner in this interview, the Examiner did indicate the likely allowability of claims 1-25 provided the method claims are fully commensurate in scope with independent product claim 26. The Examiner also acknowledged this possibility on Page 2 of the Office Action dated November 8, 2004. As such, the Applicant has presumptively rejoined these claims. The Applicant has taken this presumptive action because it was necessary to amend certain claims. For example, it was necessary to presumptively rejoin independent claim 1 so that the scope of this claim could be amended to make it commensurate in scope with independent product claim 26. To the extent that this presumptive action on the Applicant's part is inappropriate, the Applicant respectfully requests that the Examiner rejoin the withdrawn method claims in the amended form as they appear in the subject Amendment.

It is respectfully submitted that claims 1, 5-23, 25, 26, and 30-61 are allowable and that the application is now presented in condition for allowance, which allowance is respectfully solicited.

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The Commissioner is authorized to charge Deposit Account No. 08-2789 for any additional fees or to credit the account for any overpayment.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

Date: February 4, 2005



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